

a Utah corporation, organized and existing under the laws of the State of Utah, having a principal place of business located at 12187 South Business Park Drive, Draper, Utah 84020.

3. I gave a Power Point Presentation entitled "Total Knee Arthroplasty BKS Experience," a copy of which is attached hereto as Exhibit A, at a meeting held in March 2002 at Snowbird Ski Resort, Snowbird, Utah. The Power Point Presentation attached hereto as Exhibit A contains the slides I showed during that March 2002 presentation at Snowbird, as well as updates that were added later.

4. A first provisional patent application entitled "Knee Balancing Block" was filed on July 23, 2002, with the United States Patent and Trademark Office (hereinafter "the USPTO"), and was assigned application serial no. 60/398,289. A second provisional patent application entitled "Knee Balancing Block" was filed on May 30, 2003, with the USPTO and was assigned application serial no. 60/474,454. On July 11, 2003, the above-captioned nonprovisional patent application was filed with the USPTO claiming priority to both of the aforementioned first and second provisional patent applications.

I do not believe the information contained in Exhibit A to be material prior art, but I am disclosing the information contained therein as part of my duty to disclose information which may be considered material to the examination of the above-captioned patent application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations. I wish to submit this

information even though I do not believe I am required to do so, in order to strengthen whatever patent may eventually be granted from the above-captioned application, and I therefore respectfully invoke the Patent Office's obligation under 37 C.F.R. § 1.97 to consider this declaration and the attached exhibit and make them of record in the above-captioned application.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed at Ogden, Utah, this
20 day of October, 2004.

INVENTOR:



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